

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - February 12, 1969

Appeal No. 9935 Aetna Life Insurance Company, appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on February 18, 1969

EFFECTIVE DATE OF ORDER - May 20, 1969

ORDERED:

That the appeal for permission to provide accessory parking on lot 821, Square 1389, rear of 4865 MacArthur Blvd., NW., to serve Safeway Store located at 4865 MacArthur Blvd., NW., be granted conditionally.

FINDINGS OF FACT:

1. The subject property, Lot 821, is located in an R-1-B District.
2. The property is presently used for accessory parking by Safeway Stores, Inc. who are the lessees thereof.
3. The main store building and parking are located on Lots 7,8,9 and 10, Square 1389.
4. Appellant proposes to continue accessory parking on Lot 821 for an indefinite period of time, i.e., so long as Lots 7,8,9, and 10 are used in connection with a commercial Safeway Store. Fifty-nine (59) parking spaces are provided.
5. No opposition to the granting of this appeal was registered at the public hearing.

OPINION:

We are of the opinion that the continuance of this accessory parking lot will not create any dangerous or otherwise objectionable conditions, that the present character and future development of the neighborhood will not be adversely affected, and that the lot is reasonably necessary and convenient to other uses in the vicinity.

This Order shall be subject to the following conditions:

a. Permit shall issue for a period of five (5) years, but shall be subject to renewal in the discretion of the Board upon the filing of a new appeal in the manner prescribed by the Zoning Regulations.

b. All areas devoted to driveways, access lanes and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.

c. An eight (8) inch coping shall be erected and maintained along each side of all driveways to protect the public space.

d. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.

e. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.

f. All parts of the lot shall be kept free of refuse or debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.

g. No other use shall be conducted from or upon the premises and no structure other than an attendant's shelter shall be erected or used upon the premises unless such use or structures are otherwise permitted in the zoning district in which the parking lot is located.

h. Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

i. Continue the brick wall, now fronting on "V" Street, down the 48th Street side of the property.

j. Clean out the space between the wall and "V" Street and replace any diseased evergreens and continue the evergreen screen the length of "V" Street frontage.

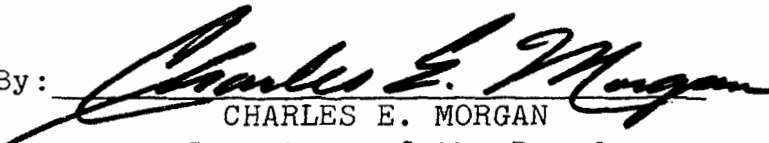
The Board reserves the right to direct revocation of the occupancy permit upon a proper showing that any terms or conditions of this Order have been violated.

#9935

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BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: 
CHARLES E. MORGAN
Secretary of the Board

THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.